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RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Note by the secretariat

1. By letter dated 9 March 1998, the Permanent Representative of the Republic of Azerbaijan to the United Nations Office at Geneva requested the Office of the High Commissioner for Human Rights to transmit to the Commission on Human Rights a letter addressed to the Chairman of the Committee on the Elimination of Racial Discrimination in connection with the consideration by the Committee of the initial and second periodic reports of Armenia submitted under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination.

2. The above-mentioned letter is annexed* to the present document.

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* The annex is circulated as received, in the language of submission only.

ANNEX

Geneva, March 4, 1998

Dear Mr. ABOUL-NASR,

In connection with the forthcoming consideration by the Committee on the Elimination of Racial Discrimination of the initial and second periodic reports of the Republic of Armenia (CERD/C/289/Add.2) submitted under Article 9 of the International Convention on the Elimination of all Forms of Racial Discrimination, I am obliged to comment some false allegations contained in the report with regard to the interrelations between Armenia and Azerbaijan and inform the Committee about the real state of implementation by the Government of the Republic of Armenia of provisions of the International Convention.

The military aggression of the Republic of Armenia against the Republic of Azerbaijan pursuant to its policy of acquisition of territory by force and its plans to establish a mythical "Greater Armenia" has resulted in gross and flagrant violations of human rights of the civilian population of my country which fall within the category of crimes against humanity.

The armed hostilities against Azerbaijan were preceded by anti-constitutional actions in the Nagorno-Karabakh region of Azerbaijan perpetrated by separatist groups receiving outside support; forming the backdrop to these actions were certain decisions taken by the Armenian authorities in contravention of international law. Of these decisions, the most notorious is the resolution "Reunification of the Armenian Soviet Socialist Republic and Nagorno-Karabakh" adopted by the Armenian Parliament on 1 December 1989. Moreover, in Armenia's Declaration of Sovereignty of 23 August 1990, part of the territory of another State - the Nagorno-Karabakh region of Azerbaijan - is recognized as an integral part of the Republic of Armenia. These decisions by the Armenian Parliament were enacted by its armed forces with the widespread use of mercenary bands and a sudden upsurge in terrorist activity by the Armenian special services and terrorist organizations against sovereign Azerbaijan State with a view to wresting away part of its age-old lands. All-out hostilities began at the end of 1991 and the beginning of 1992 when Armenian armed formations initiated combat operations in the Nagorno-Karabakh region of Azerbaijan using the most sophisticated weapon systems. Since May 1992 their armed forces have made incursions beyond the borders of the former Nagorno- Karabakh Autonomous Region into other parts of Azerbaijan.

Mr. Mahmoud ABOUL-NASR
Chairman
Committee on the Elimination
of Racial Discrimination
Geneva

As a result of about ten years of war, approximately 20 per cent of the entire territory of Azerbaijan, comprising Nagorno-Karabakh region and an area four times bigger than that region, has been occupied and held by the armed forces of Armenia.

A chronological list of the seizure of Azerbaijani towns and districts is follows:

28 February 1992 - Khodjaly
8 May 1992 - Shusha
18 May 1992 - Lachin
3 April 1993 - Kelbadjar
28 June 1993 - Agdere
23 July 1993 - Agdam
23 August 1993 - Fizuli
26 August 1993 - Djebrail
30 September 1993 - Kubatly
28 October 1993 - Zangelan and Goradiz

It should be noted in particular that the Agdere and Agdam districts of Azerbaijan were seized by the armed forces of Armenia following the adoption of Security Council resolution 822 (1993) of 30 April 1993, which condemned the occupation of the Kelbajar district; the Fizuli district was seized after the adoption of Security Council resolution 853 (1993) of 29 July 1993 condemning the seizure of the Agdam district; and the Djebrail and Kubatly districts were seized after the adoption of Security Council resolution 874 (1993) of 14 October 1993. In its resolution 884 (1993) of 11 November 1993, the Council condemned the occupation of the Zangelan district and the city of Goradiz, attacks on civilians and bombardments of the territory of the Republic of Azerbaijan. In all above-mentioned resolutions, the Security Council underscored respect for the sovereignty, territorial integrity and inviolability of the borders of the Republic of Azerbaijan, and the inadmissibility of using force to acquire territory. It also demanded the immediate cessation of armed hostilities and hostile acts, and the immediate, full and unconditional withdrawal of all occupying forces from the occupied areas of Azerbaijan. Despite the unequivocal demands of the Security Council, the Republic of Armenia is today still holding on to occupied Azerbaijani territory, increasing its military presence there and illegally placing there Armenian settlers.

As a result of the aggression and "ethnic cleansing" of the territory of Armenia proper and the occupied part of the territory of Azerbaijan from Azerbaijanis, there are currently over 1 million refugees and displaced persons in Azerbaijan. A total of 900 settlements have been looted and burnt out. Over 9 million square metres of civilian housing, state enterprises and social facilities have been destroyed. The total cost of the destroyed housing and the property removed therefrom amounts to tens of billion dollars. As a result an extremely serious humanitarian situation has developed in Azerbaijan. Every year hundreds of elderly people, women and children die in refugee camps from diseases and epidemics.

The Armenian armed forces, backed by mercenary formations and Armenian terrorist groups, have killed about 20,000 people and wounded or maimed over 50,000. Thousands are missing and extrajudicial executions and mass shootings of civilians have been carried out. Kidnapped hostages held in Armenia and the occupied areas of Azerbaijan are doing forced

labour and being made to endure inhumane treatment, beatings, torture and other gross violations of their human rights. According to information from the State Commission of the Republic of Azerbaijan on prisoners of war, hostages and missing persons, as a result of Armenian aggression these categories comprised 4,820 Azerbaijani citizens as at 1 March 1998. This total includes 316 women, 60 children and 254 elderly people. The State Commission knows the whereabouts of over 867 of these people in the territory of the Republic of Armenia (229 individuals) and the occupied Azerbaijani territories (638 individuals). The vast majority of them are being detained by the Armenian side without the knowledge of the International Committee of the Red Cross (ICRC), and therefore do not appear on that organization's lists.

Taking into account the attempt of the authors of the report to distort and falsify the historical facts, I have the honour to inform the Committee that the settlement of Transcaucasia by Armenians began only since the midst of the XIX-th century. Taking advantage of the changed demographic situation, the Armenians, under the tutelage of the rulers of tsarist Russia and, later, the communist leaders of the Soviet Union, oppressed the indigenous Azerbaijani population in various parts of Azerbaijan and artificially increased their own number in those territories.

It is a matter of historical fact that in 1828-1829 alone, 130,000 Armenians were resettled out of Middle Eastern countries into the area now forming the Republic of Armenia; another 600,000 were resettled later. By 1918, the number of Azerbaijanis in what is now Armenia stood at 575,000 - more than a third of all the inhabitants of the area. But as a result of the Armenian Government's deliberate policy of expelling the Azerbaijani population, there remains today in Armenia not a single Azerbaijani out of that half-million-strong community. Facts has shown that since the beginning of settlement of Armenians in the Transcaucasia hundreds thousand of Azerbaijanis and members of other ethnic groups were killed, wounded or forcibly expelled over this period. Between December 1917 and the end of June 1918, Armenian army units plundered and burnt 200 Azerbaijani villages in Erevan province. The surviving inhabitants fled to the mountains, where they died of cold and starvation. Over that period, Armenian troops occupied the whole of the Surmalin district and parts of the Erevan, Echmiadzin and Sharur districts, which they purged of Azerbaijanis by force of arms. Throughout Armenia between 1918 and 1920, Azerbaijanis were subjected to violence of unimaginable savagery. Sixty Azerbaijani villages were destroyed and all their male inhabitants were killed in the districts of Igdir and Echmiadzin; in Geichin province, 22 villages have been destroyed and 60,000 inhabitants killed; in Yeni Bayazid, 84 villages and 15,000 homes have been destroyed. Over the summer and autumn of 1918, 115 Azerbaijani villages and hamlets in the district of Zangezur have been destroyed; 7,729 Azerbaijanis were brutally murdered - 3,257 men, 2,276 women and 2,196 children. Forced deportations and mass killings of the civil Azerbaijani population continued till 1920. The remnants of the Azerbaijani population in Erevan province and the Zangezur and Echmiadzin districts were driven out or annihilated, and their villages ploughed into the ground.

One of the leading figures in the Kremlin, the Politburo member for more than forty years A. Mikoyan, played a major role in the execution of the Armenian nationalists' plans for the ethnic cleansing of Armenia. Making use of his influence over Stalin, he secured the signature of the "little father of the peoples" on decrees by the Council of Ministers of the

Union of Soviet Socialist Republics No. 4083 of 23 December 1947, "Resettlement of collective farmers and other Azerbaijani inhabitants from the Armenian SSR to the Kur-Arax Depression in the Azerbaijani SSR", and No. 754 of 10 March 1948, "Action to resettle collective farmers and other Azerbaijani inhabitants from the Armenian SSR to the Kur-Arax Depression in the Azerbaijani SSR". Under these decrees, during the period 1948-1953 more than 150,000 Azerbaijanis were forcibly resettled from their historical homelands - the mountainous regions of Armenia - to the then waterless steppes of Mugan and the Mil plateau. Many of them could not withstand the ordeal and perished. In this regard I would also like to inform the Committee that the State Commission to investigate the facts of illegal mass deportation of Azerbaijanis from Armenia in 1948-1953 had been established by the Decree of the President of the Republic of Azerbaijan of December 18, 1997.

The forcing of the Azerbaijanis out of Armenia was accompanied by flagrant discrimination in breach of their constitutional rights and a refusal to cater to their national and cultural interests. Hundreds of thousand Azerbaijanis who remained in Armenia until 1988, surviving as compact groups, displayed none of the hallmarks even of national cultural autonomy. Attempts to so much as mention this were promptly, roughly and savagely suppressed. In essence, access for Azerbaijanis in Armenia to employment in state entities was barred.

In connection with the false and cynical information contained in the report that Azerbaijanis "*...sold or exchanged their homes in Armenia...*", "*...gradually returned to their own country...*" and "*...received USD 110 million in compensation from the Armenian Government*" (page 4, para 11), I am obliged to inform the Committee about the following. In the winter of 1988, a fresh bout of "ethnic cleansing" began as the culmination of a deliberate policy to destroy all trace of the very existence of Azerbaijanis in Armenia. Under instructions from, and with the blessing of, the Armenian authorities, the remaining 40,897 Azerbaijani families (about 200,000 individuals) were forcibly deported from their historical homelands within the present-day Armenian State, and left without homes or belongings. The mass expulsion was accompanied by killings and maimings. In the space of just three days, from 27 to 29 November 1988, pogroms in the Armenian towns of Gugark, Spitak and Stepanavan killed 33 Azerbaijanis. In all, according to figures from the State Prosecutors's Office of the Republic of Azerbaijan, 216 Azerbaijanis died during the "ethnic cleansing" in Armenian territory in 1988-1989; 49 froze to death, seeking safety from reprisals in the mountains; 41 died of savage beatings; 35 were killed after torture; 115 were burnt alive; 16 were shot; 10, unable to endure the humiliation, died of heart attacks; 2 were killed right in hospital by their Armenian doctors; 3 were drowned; 1 was hanged; 1, not wishing to die an agonizing death, took his own life; 1 was electrocuted; 2 were beheaded; 29 were deliberately run over; 3 died in hospital because they were not given medical tratment; and a further 8 were abducted and vanished without trace. The majority of the dead were children, women and elderly people. They included 5 infants and 18 children of various ages. Seven-year-old Zokhra Nabieva was burnt alive. Three-year-old Rakhman Mamedov was not given the medical treatment he needed and subsequently died. Seven children froze to death, two died after savage beatings, two were shot. Elman Aliev, three years old, suffered a heart attack. Six were unable to withstand brutal torture and died; three were run over. Fifty-seven Azerbaijani women came to a tragic end on Armenian soil. Seven were beaten to death, five froze, four died under torture, three of heart attacks, two under the wheels of cars; one was decapitated, one was drowned,

one was burnt, two died of gunshot wounds for which they did not receive the necessary medical care, and one was killed by doctors in hospital. The remainder disappeared without trace and are probably dead, given than there has been no news of them for a long time now. Sixty elderly Azerbaijanis (over 60 years of age) also died during their expulsion from Armenia, among them 20 women. In most cases their deaths resulted from torture, bullet wounds, heart attacks, beatings and frostbite. Gyulsum Alieva, aged 76, Khanum Iskenderova, aged 73, Mekhrali Aliev, aged 68, Garib Bairamov, aged 67 and Leila Huseinova, aged 63, were burnt. A doctor killed Hasan Ellazov, aged 68, in hospital. The most widespread atrocities occurred in the Gugark district, where 22 Azerbaijanis lost their lives, 13 of them being burnt to death. Crimes against the Azerbaijani population were also committed in the Kalinin, Goris, Stepanavan, Vardenis, Masis, Spitak, Ararat, Kirovakan, Idjevan, Krasnoselsk, Ekhegnadzor, Amasia, Kafan, Abovyan, Sevan and Noyemberian districts of Armenia. Virtually all the attacks on Azerbaijani settlements had the blessing of the official Armenian authorities and were commanded by local leaders and responsible figures or by members of the local law-enforcement bodies. During the forcible expulsion of the Azerbaijanis, hundreds of historical relics testifying to the fact that Azerbaijanis had for centuries belonged on the land in what is today Armenia were either destroyed or altered to look Armenian. Islamic places of worship and the graves in Azerbaijani cemeteries were defiled; mosques and tombs were damaged or broken up for building materials. To erase from history the fact that Azerbaijanis had lived in the place which is now Armenia, the names of some 2,000 towns and villages that formerly bore Azerbaijani names have been changed; 465 villages were renamed between 1935 and 1973, and 97 in April 1991. The concluding, tragic chord had been played in a meticulously planned campaign of physical extermination of the Azerbaijanis, once the most populous of the national minorities in the Republic of Armenia. I am obliged also to note that despite the false allegation contained in the report, aimed to delude the Committee, the Government of the Republic of Armenia has still compensated nothing to Azerbaijani refugees from Armenia and impede them to return to their historical homelands in this country.

There is a large quantity of information regarding discrimination of the rights of remained national and religious minority groups in Armenia, bearing witness to the Republic of Armenia's open flouting of the norms of international law and, in particular, the provisions of the International Convention on the Elimination of all Forms of Racial Discrimination.

Finally, in connection with the forthcoming examination by the Committee of the initial and second periodic reports of the Republic of Armenia, I have the honour to request kindly to circulate the present letter through the members of the Committee as its official document and take into consideration the above-mentioned information regarding the violations of the provisions of the International Convention on the Elimination of all Forms of Racial Discrimination by the Government of the Republic of Armenia.

Please accept, Mr. ABOUL-NASR, the assurances of my highest consideration.

(Signed) S. EIVAZOVA
Ambassador
Permanent Representative